

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

FRANCIS X. MOORE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil No. 04-10922-DPW
	)	
INTERNAL REVENUE SERVICE (UNITED	)	
STATES GOVERNMENT),	)	
	)	
Defendant.	)	

UNITED STATES' NOTICE TO COURT THAT IT WILL NOT FILE  
A MOTION FOR SUMMARY JUDGMENT IN THIS MATTER

The United States, by its undersigned counsel, hereby informs this Court that it will not be filing a motion for summary judgment in this matter. Upon a thorough review of the file and the preparation of a draft motion, it appears that there very likely are genuine issues as to material facts sufficient to preclude the allowance of a motion for summary judgment.

The United States requests that this Court set a status conference to determine whether preparation for trial or participation in an alternative dispute resolution program would be the next best step.

I hereby certify that a true copy of the  
above document was served upon (each party  
appearing pro se and) the attorney of record  
for each other party by mail on

9/2/05 - Lydia Bottome Turanchik

/s/ Lydia Bottome Turanchik  
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